

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF IOWA**

IN RE:	Chapter 12
MERCY HOSPITAL, IOWA CITY, IOWA, <i>et al.</i> ,	Bankruptcy No. 23-00623
Debtors.	RESISTANCE TO MOTION TO COMPEL

COMES NOW, the Mercy Liquidating Trust Oversight Committee, and for its resistance to the Motion to Compel filed by Sills, Cummins, and Gross P.C. states:

1. The Liquidating Trust Oversight Committee has objected to the fees charged by Sills, Cummins, and Gross P.C.
2. Instead of discussing such an objection with the Liquidation Trust Oversight Committee to reach a resolution Sills, Cummins, and Gross P.C. sent threats and demands.
3. The Liquidating Trust Oversight Committee remains willing to discuss a mutually agreeable resolution.
4. The fees applied for by Sills, Cummins, Gross P.C. were neither reasonable nor necessary.
5. There has been no value conferred upon the Liquidating trust by Sills, Cummins Gross P.C.
6. After the appointment of the Successor Trustee, Mr. Childers, he hired Eric Lam as his attorney.
7. On information and belief, the Liquidating Trust Oversight Committee states that Sills, Cummins, Gross P.C. did not transition their work or file to the Successor Trustee or his counsel. As such, Liquidating Trust has paid additional fees for the work that Sills, Cummins, Gross P.C. seeks payment for. ‘

WHEREFORE, the Liquidating Trust Oversight Committee prays this court overruled the motion compel filed by Sills, Cummins, Gross P.C.

Dated the 8th day of November 2024.

Respectfully submitted,  
DAY RETTIG MARTIN, P.C.

/s/ Paula L. Roby

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LIQUIDATING TRUST OVERSIGHT  
COMMITTEE

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the 8<sup>th</sup> day of November 2024, a copy of the foregoing document was filed with the Clerk of Court for the United States Bankruptcy Court for the Northern District of Iowa using the CM/ECF system and served electronically on those participants that receive service through the CM/ECF System. The undersigned further certifies the foregoing document was sent to persons or representatives via electronic mail or U.S. Mail postage pre-paid as set forth below.

Signed: /s/ Lillian M Strait